

YESHWANT K. GAWADE ... PETITIONER

VS.

N.T.C.(M.N.) LTD. & ORS. ... RESPONDENTS.

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[S.K.Shah , J.]

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CONTEMPT PETITION (LODGING) NO.84 OF 2005
IN
WRIT PETITION NO.257 of 2005

SUBHASH CHANDRA GUPTA ... PETITIONER.

VS.

D.T.JOSEPH & ORS. ... RESPONDENTS.

MR. D.V.GANGAL FOR THE PETITIONER, .

MR. S.S.PAKALE I/B. T.C.KAUSHIK FOR RESPONDENT NO.1.

Coram : S.K.Shah, J.

Date : September 9, 2005.

P.C.:

1. The learned Counsel for the Respondents seeks two weeks time for filing affidavit in reply. He further submits that till the time, the affidavit-in-reply is filed the Enquiry Proceeding will not be pursued.

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[S.K.Shah , J.]

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CONTEMPT PETITION NO 51 OF 2005
IN
SUIT NO NO. 1858 OF 2002.

FORTIS FINANCIAL SERVICES LTD. ... PETITIONERS.

VS.

APS STAR INDUSTRIES PVT.LTD ... RESPONDENTS.

AND ORS.

MR.JAY BHATIA FOR THE PETITIONERS.

MS. JYOTI GHAG I/B. THAKORE JARIWALA & ASSOCIATES FOR
THE RESPONDENTS.

Coram : S.K.Shah, J.

Date : September 9, 2005.

P.C.:

1. The learned Counsel for the Petitioner submits
that the Order of which the contempt is alleged, is

compiled with and hence, nothing survives in this contempt petition.

2. The contempt petition is accordingly disposed of.

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[S.K.Shah , J.]

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO 56 OF 2005

IN

NOTICE OF MOTION NO. 726 OF 2005

IN

SUIT NO. 648 OF 2005

Y.I.TURK ... PLAINTIFF/PETITIONER.

VS.

M/S. FRANCIZ WACZIARG ... DEFENDANTS/RESPONDENTS.

AGENCY PVT.LTD.&ORS.

MR. V.C.GHOSALKAR FOR THE PLAINTIFF/PETITIONER.

MR. C.ABUWALA I/B. DAVE & CO. FOR RESPONDENT NO.1.

Coram : S.K.Shah, J.

Date : September 9, 2005.

P.C.:

1. The learned Counsel for the Petitioners submits that the Respondent NO. 5 has filed an affidavit and as such complied with the Order dated 4th April, 2005. However, he submits that the Respondent NO.4, though served has not filed affidavit and complied with the Order dated 4th April, 2005.

2. Issue Show Cause Notice against the Respondent No.4, returnable within two weeks.

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[S.K.Shah , J.]

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO 67 OF 2005

IN

NOTICE OF MOTION NO. 626 OF 2005

IN

SUIT NO. 771 OF 2000-

ROHINI D. SIDPRA ... PETITIONER.

...[ORIG.PLAINTIFF]

VS.

TATA SHARE REGISTRY LTD & ORS. ... RESPONDENTS.

...[ORIG.DEFENDANTS]

MS. R.D.SIDPRA PETITIOER IN PERSON.

MR. S.PUROHIT I/B. W. GANDHY & CO. FOR RESPONDENT NO.4.

MR. K.H.MODI I/B. SHAH & SANGHVI FOR RESPONDENT NO.5.

MR. S.A.KHAN FOR RESPONDENT NO.6.

Coram : S.K.Shah, J.

Date : September 9, 2005.

P.C.:

1. This contempt petition is taken out by the petitioner, who is in person, alleging non-compliance of the Order, dated 13.4.2005, passed in Chamber Summons No. 412/2005 alongwith Notice of Motion No 626 of 2005.

2. So far as the Chamber Summons is concerned, by that Order the same was disposed of by allowing the amendments to be carried out. The further Order reads as under :-

Learned Advocate for the defendants to file reply to the notice of motion No.626 kof 2005.

3. The grievance of the Petitioner is that no reply is filed. Therefore, she has taken out this contempt petition.

4. This contempt cannot lie as if no reply is filed, the Court can proceed to consider the notice of motion. The Petitioner, therefore, shall pursue the notice of

motion.

4. It appears that the contempt petition is taken out against the advocates representing the defendants in the notice of motion. This is totally wrong as although the direction was given to the advocates to file the reply, that was in fact to the parties who were represented by the advocates. The advocates are not the parties to the notice of motion. However, since the petition is in person, a lay-man no action need be taken against her. However, she must understand the aspect that whenever reply is directed to be filed, it has to be filed by the party concerned and not by the advocate.

5. The contempt petition is accordingly disposed of.

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[S.K.Shah , J.]

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SHOW CAUSE NOTICE NO. 1127 OF 2005

IN

CONTEMPT PETITION NO.39 OF 2005.

IN

CONTEMPT PETITION NO. 29 OF 2004

IN

NOTICE OF MOTION NO. 1156 OF 2001

IN

SUIT NO. 1605 OF 2001

DR. MANJULADEVI MISTRY & ORS. ... PETITIONERS.
[ORIG.PETITIONERS.]

VS.

SMT. SARALADEVI MADANLAL MISTRY... RESPONDENTS.
[ORIG.RESPONDENTS.]

V.R.DHOND ALONGWITH BIRENDRA SARAF, A.S.KAMAT AND

H.S.KHOKAWALA I/B. NANKANI & ASSOCIATES FOR THE
PETITIONERS.
MS. J.M.SIDHWA ALONGWITH SHEELA TAMBE I/B. MANOJ BHATT
FOR RESPONDENT NO. 1.

Coram : S.K.Shah, J.
Date : September 9, 2005.

P.C.:

1. The matter is taken out for speaking to the minutes of the Order dated 19th August, 2005. The learned Counsel Ms. J.M.Sidhwa submits that she is not appearing for Respondent No.2. The learned counsel for the Petitioner, however, pointed out that on several occasions, her representation is shown for and on behalf of the Respondent NO.2 also.

2. As a matter of fact, if the learned Counsel Ms. J.M.Sidhwa, is appearing for Respondent No.1 in this matter and not appearing for the Respondent No. 2, the title should be corrected showing that the learned Counsel Ms. J.M.Sidhwa is appearing for Respondent No.1 only.

[S.K.Shah , J.]

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.3 OF 2005.

IN

COMPANY APPLICATION (L) NO. 254 OF 2004

IN

COMPANY PETITION NO. 34 OF 1997

PATTON ELECTRO LTD. ... PETITIONERS.

VS.

ASIA TELEVISION NETWORK

LTD & ORS. ... RESPONDENTS.

MR. A.S.DOCTOR ALONGWITH MS. V. MIRASEE I/B. SHAH &
SANGHVI FOR THE PETITIONERS.

MR. D.H.MEHTA ALONGWITH SHWETA PATRAWALA I/B. DIVYA
SHAH & ASSOCIATES FOR RESPONDENT NO.5.

MR. U.S.PATOLE, ASSISTANT OFFICIAL LIQUIDATOR FOR
RESPONDENT NO.1. COMPANY IS PRESENT.

Coram : S.K.Shah, J.

Date : August 19, 2005.

P.C.:

1. Heard.

2. The grievance made against the Respondents for committing breach is of the Order passed by this Court, in the company Petition (Lodging) No. 254 of 2004. The Order runs as under :-

"Pending hearing and final disposal of the Civil Application the Official Liquidator, High Court Bombay, directed to take appropriate steps against the respondent Company and issue the

Noticek to the Companies, i.e. (i) ATN International Limited and (ii) CKT Communication Pvt. Ltd. not to use the word "ATN" and its logo anywhere."

3. It is submitted that the Respondent- Company replied the Notic issued by the aforesaid Official Liquidator, pursuant to this Order, making it clear that they are not using the Logo and making use of the word "ATN" and that they were not party to the petition etc.

4. Under the circumstances, the allegations against the respondents would not fall under the contempt petition because the directions which are given as aforesaid, are directions to the Official Liquidator and if any grievance has to be made, it has to be made against the Official Liquidator for not taking steps, action etc. and that should be made in the Company Petition and not by way of contempt petition. Therefore, the contempt petition is not tenable and is disposed of accordingly.

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[S.K.Shah , J.]